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THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/7187/2017

SAMIRAN CHAMUAH
S/O. LT. NABIN CHAMUAH, VILL. RONGMAHAL, P.O. RONGMAHAL, P.S.
CHANGSARI, DIST. KAMRUP R, ASSAM.

VERSUS

THE STATE OF ASSAM and ANR
REP. BY THE COMM. and SECY. TO THE GOVT. OF ASSAM, FINANCE
TAXATION DEPTT., DISPUR, GHY.-06.

2:THE COMMISSIONER OF TAXES

KAR BHAWAN
DISPUR
P.O. DISPUR SACHIVALAYA
DISPUR
GHY.-06
DIST. KAMRUP
ASSAM - 781006

Advocate for the Petitioner : MR.M L GOPE, MS.N BORDOLOI,MS.N GOGOI,MS.N
HAWELIA,MS.N MECH

Advocate for the Respondent : , SC, FINANCE & TAXATION

BEFORE
HONOURABLE MR. JUSTICE SUMAN SHYAM

ORDER

Date : 30/04/2025

Ms. M. Baruah, learned counsel is present on behalf of the writ petitioner and submits that although the writ petitioner in this case has expired, yet, there is a surviving cause of action and, therefore, she be granted three weeks time to file appropriate application for substitution.

Mr. B. Gogoi, learned Additional Advocate General, Assam, appearing for the respondents, on the other hand, submits that from the prayer portion in the writ petition, it cannot be said that there is any surviving cause in this writ petition. Moreover, the writ petition has already abated.

Be that as it may, on the prayer made by the petitioner's counsel, she is permitted to file substitution petition, if any, along with petition for condonation of delay and setting aside abatement, if applicable, within three weeks from today.

It will be open for the respondents to take any objection in the matter, as may be permissible under the law.

List accordingly.

JUDGE

Comparing Assistant